



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**  
FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner  
Rebecca Esau, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** July 31, 2018  
**To:** Interested Person  
**From:** JP McNeil, Land Use Services  
503-823-5398 / [Jason.McNeil@Portlandoregon.gov](mailto:Jason.McNeil@Portlandoregon.gov)

## **NOTICE OF A TYPE Ix PROPOSAL IN YOUR NEIGHBORHOOD**

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 45 days, **we need to receive your written comments by 5 p.m. on August 30, 2018**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 18-174939 LDP, in your letter. It also is helpful to address your letter to me, JP McNeil. You can also e-mail your comments to me at my e-mail address identified above. Please note that all correspondence received will become part of the public record.

### **CASE FILE NUMBER: LU 18-174939 LDP**

**Applicant:** Kevin Partain | Urban Visions  
223 NE 56th Ave | Portland, OR 97213  
[kevinp@gorge.net](mailto:kevinp@gorge.net) | 503-421-2967

**Owner:** Andre Kashuba | Keystone LLC  
14237 Bridge Ct | Lake Oswego, OR 97034

**Site Address:** 0205 SW NEBRASKA ST

**Legal Description:** BLOCK 23 LOT 2, SOUTHERN PORTLAND  
**Tax Account No.:** R780204570  
**State ID No.:** 1S1E15CD 07900  
**Quarter Section:** 3629

**Neighborhood:** South Portland NA., contact Jim Gardner at 503-227-2096.  
**Business District:** South Portland Business Association, contact [info@southportlanddba.com](mailto:info@southportlanddba.com).  
**District Coalition:** Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592.

**Zoning:** R5 – Residential 5,000  
**Case Type:** LDP – Land Division Partition  
**Procedure:** Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA)

**Proposal:**

The applicant is proposing a two-lot partition of this 5,000 square foot site. The partition would result in two 2,500 square foot parcels for attached houses using the provision for an additional unit of residential density on corner lots found in Zoning Code Section 33.110.240.E. The existing house on the site would be demolished. The one tree on-site (a 14-inch plum) has been declared exempt from regulation as a dying tree by the applicant's arborist and will be removed. Stormwater would be managed on-site with flow-through planters that overflow to the public sewer system. One off-street parking space is proposed on each lot.

**Relevant Approval Criteria:**

This partition is reviewed through a Type Ix land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities, or services are proposed within a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (such as an Adjustment, Design Review, or Environmental Review) are requested or required (see 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010). ORS 92.010 defines "parcel" as a single unit of land created by a partition of land. The applicant's proposal is to create two lots. Therefore, this land division is considered a partition.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are found in Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. This application was submitted on May 21, 2018 and determined to be complete on July 23, 2018.

**DECISION MAKING PROCESS**

The Bureau of Development Services will make a decision on this proposal. After we consider your comments we will do one of the following:

- Approve the proposal;
- Approve the proposal with conditions; or
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

The file and all evidence on this case are available for your review by appointment by making a request online or contacting me.

- Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. Copies of all information in the file can be obtained for the cost of making copies during the appointment.
- If you would like to request a copy of the file online, please visit <https://www.portlandoregon.gov/bds/54732>. The fee for this service varies based on the size of the case file and how long it would take to scan or copy documents.
- I can provide some information over the phone or through email.

Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandoregon.gov](http://www.portlandoregon.gov).

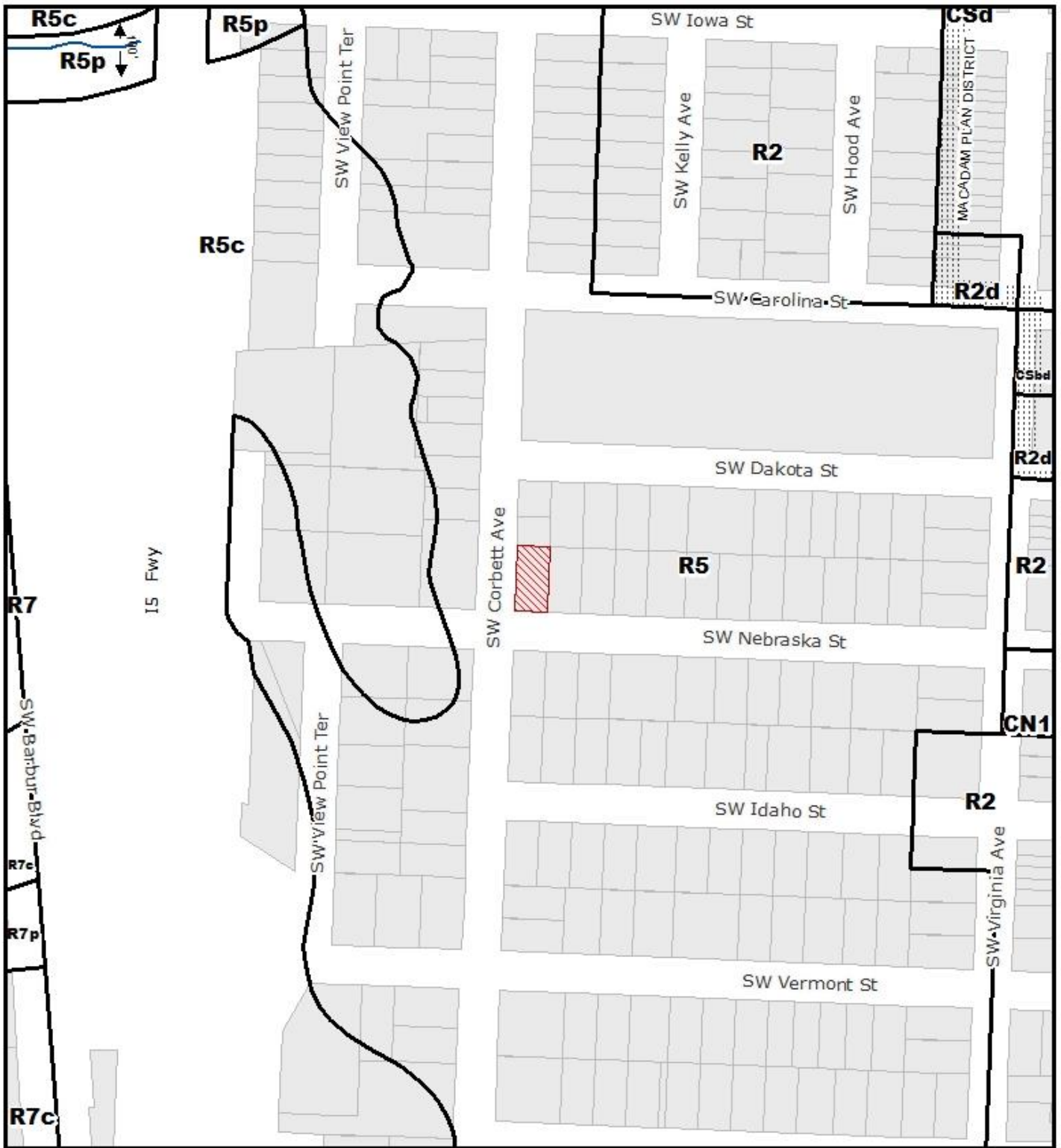
**APPEAL PROCESS**

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**

**Enclosures:**

Zoning Map  
Site Plan



**ZONING**  NORTH

 Site  
 Stream

File No.	LU 18-174939 LDP
1/4 Section	3629
Scale	1 inch = 200 feet
State ID	1S1E15CD 7900
Exhibit	B May 24, 2018

**PROPOSED IMPROVEMENT PLAN  
FOR A PROPOSED PARTITION PLAT,  
LOT 2, BLOCK 23  
SOUTHERN PORTLAND,  
PER DOCUMENT NO. 2012-072743**

SITUATED IN THE S.W. 1/4 OF SECTION 15, T.1S., R.1E., W.M.  
MULINOMAH CO., OREGON  
CITY OF PORTLAND

**MARX ASSOCIATES**  
18615 E. BURNSIDE STREET  
PORTLAND, OR 97223  
TEL: 503-666-8553  
CELL: 503-666-8553  
FAX: 503-666-8666  
EMAIL: DALE@MARXASSOC.SNET

DATE DRAWN: MAY 15, 2018  
DRAWING NO. 18027P  
PROJECT NO. 18027P  
REVISED: JULY 18, 2018

**ZONING:**  
RS - RESIDENTIAL 5,000

**SITE SIZE:**  
5,000 SQUARE FEET

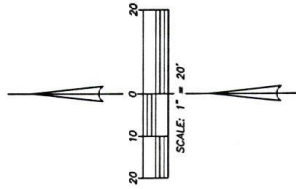
**PARCEL DATA:**  
LOT 2, BLOCK 23, SOUTHERN PORTLAND,  
PER DOCUMENT NO. 2012-072743

**BENCH MARK:**  
CITY OF PORTLAND 2" BRASS DISC, BM NO. 13, IN CURB RETURN, NE  
CORNER OF S.W. CORRETT AVENUE AND SW NEBRASKA STREET, ELEVATION -  
54.815 (COP. DATUM)

**NOTES & LEGEND:**

- "TM" DEPICTS WATER METER
- "M" DEPICTS SANITARY SEWER MANHOLE
- "P" DEPICTS POWER POLE
- "W" DEPICTS WATER VALVE
- "D" DEPICTS DOWNSPOUT TO DRAIN
- "F" DEPICTS FIRE HYDRANT
- "123.4" DENOTES SPOT ELEVATION (ELEVATION IS AT DECIMAL POINT)
- "123.456" DENOTES GROUND ELEVATION (ELEVATION IS AT DECIMAL POINT)
- "(123.456)" DENOTES GROUND ELEVATION AT ITEM NOTED
- "123.45(123.05)" DENOTES TOP-CURB ELEVATION (GUTTER ELEVATION) (ELEVATION IS AT DECIMAL POINT OF TOP-CURB)
- "123.4562" DENOTES CENTERLINE ELEVATION (ELEVATION IS AT DECIMAL POINT)
- "123.45601" DEPICTS GUTTER ELEVATION (ELEVATION IS AT DECIMAL POINT)
- "BOPC" DENOTES BOARD FENCE
- "-.-" DEPICTS BOARD FENCE
- "-W-" DEPICTS WATER LINE
- "-S-" DEPICTS SEWER LINE
- "-PW-" DEPICTS PROPOSED WATER LINE
- "-PS-" DEPICTS PROPOSED SEWER LINE

NOTE: UTILITIES ARE LOCATED AS SHOWN PER FIELD TIES OR FIELD SURVEY. IF AN UTILITY LOCATION SHOULD BE FIELD VERIFIED BEFORE CONSTRUCTION.



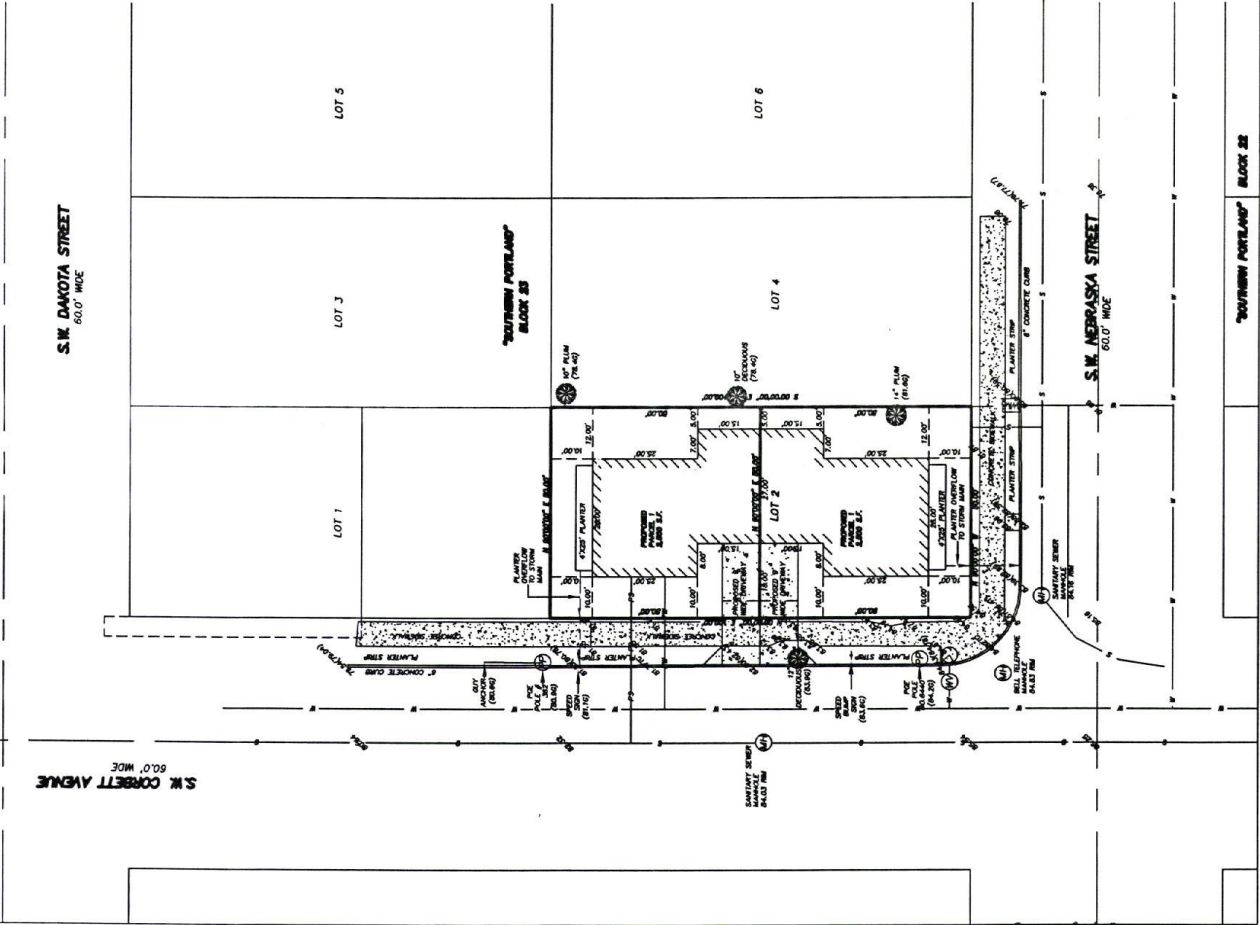
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*DALE MARX*

OREGON  
REGISTERED  
LAND SURVEYOR  
EXPIRATION DATE: 12/31/19

**RECEIVED**

JUL 28 2018



LDP 18-174939-1